

Legislative Bulletin.....March 24, 2004

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 4
Year to Date Prior to Today's Bills: 11

Total Cost of Discretionary Authorizations: \$0*
Year to Date Prior to Today's Bills: \$22.8 billion over five years

Total Amount of Revenue Reductions: \$0
Year to Date Prior to Today's Bills: \$336.5 million over five years

Total Change in Mandatory Spending: +\$192 million over five years
Year to Date Prior to Today's Bills: -\$253 million over five years

Total New State & Local Government Mandates: 0*
Year to Date Prior to Today's Bills: 10

Total New Private Sector Mandates: 0
Year to Date Prior to Today's Bills: 11

*This figure does not include H.R. 3873, the Child Nutrition Improvement and Integrity Act. A CBO analysis of this bill is not yet completed.

H.R. 1768—Multidistrict Litigation Restoration Act (Sensenbrenner)

Order of Business: The bill is scheduled to be considered on Wednesday, March 24th, under a motion to suspend the rules and pass the bill.

Background: Under current law, a Multidistrict Litigation Panel (MDLP)—a select group of seven federal judges picked by the Chief Justice of the Supreme Court—helps to consolidate lawsuits which share common questions of fact filed in more than one judicial district nationwide. Typically, these multidistrict suits involve mass torts—an cross-country train wreck, for example—in which the plaintiffs are from many different states. The MDLP attempts to identify the one U.S. district court nationwide that is best suited to adjudicate pretrial matters. The MDLP then remands individual cases back to the districts where they were originally filed for trial, unless the cases have been previously terminated.

Over the last three decades, it has been common practice for “transferee” courts (the courts at which such pretrial matters were consolidated) to invoke a different provision in current law to retain jurisdiction for trial over all of the suits (by essentially remanding cases back to themselves). The Judiciary Committee reports that the Administrative Office of the U.S. Courts and the MDLP believe that this practice has worked well, since the transferee court is versed in the facts and law of the consolidated litigation.

However, a recent Supreme Court decision (*Lexecon v. Milberg Weiss Bershad Hynes & Lerach, et. al.*) ruled that a transferee court **had** to remand all cases for trial back to the respective jurisdictions from which they were originally referred and that only Congress could determine whether a transferee court could retain jurisdiction for multidistrict litigation trials.

Summary: H.R. 1768 would give a transferee court the option under current multidistrict litigation law (28 U.S.C. 1407; Public Law 107-273) of retaining jurisdiction over a referred civil case or remanding such jurisdiction back to the court(s) from which it was transferred. Retaining jurisdiction should be done “for the convenience of the parties and witnesses and in the interests of justice.” That is, H.R. 1768 would return the multidistrict litigation situation back to pre-Lexecon practice—except this time such practice would be codified.

H.R. 1768 would also serve as a technical fix to activate a provision in current law (Public Law 107-273) that confers original jurisdiction on U.S. district courts for any civil action arising out of a single accident in which at least 75 persons are either killed or injured and in which damages for each person exceed \$150,000 (amongst other criteria). Since this original jurisdiction provision is dependent on courts being able to retain jurisdiction for trial in multidistrict litigation, H.R. 1768 therefore activates this portion of current law.

Committee Action: On July 22, 2003, the Subcommittee on Courts, the Internet, and Intellectual Property marked up and ordered the bill favorably reported to the full Judiciary Committee by voice vote. On January 28, 2004, the full Committee marked up and ordered the bill favorably reported to the full House by voice vote.

Cost to Taxpayers: CBO confirms that H.R. 1768 would have no significant impact on the federal budget.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: The Judiciary Committee, in House Report 108-416, cites constitutional authority in Article III, Section 1 (the congressional power to “ordain and establish” federal courts) and in Article I, Section 8 (though in the latter instance, the Committee fails to cite a *specific* clause of constitutional authority. Clause 3 of House Rule XIII, Section d(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”).

RSC Staff Contact: Paul S. Teller, paul.teller@mail.house.gov, (202) 226-9718

H.R. 3095—Community Recognition Act (Doolittle)

Order of Business: The bill is scheduled to be considered on Wednesday, March 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3095 would amend current flag-etiquette law (4 U.S.C. 7(m)) to allow the chief elected official of a city or other locality to proclaim that the American flag be flown at half staff in the event of the death of a present or former city or local official.

Additional Background: Current law grants authority to the President of the United States or the governor of any state, territory, or possession to order that the American flag be flown at half mast in recognition of the death of a current or former official of the government. Local officials may order the national flag flown at half mast only with direct permission from the President or the governor of that particular state, territory, or possession. Since such permission is not always granted in a timely fashion, many opportunities to honor deceased local officials are missed.

A similar bill was passed by the House on December 12, 2001 by a vote of 420-0. The Senate did not consider the House-passed bill.

Committee Action: On January 28, 2004, the Judiciary Committee marked up and by voice vote ordered the bill favorably reported to the full House.

Cost to Taxpayers: CBO confirms that H.R. 3095 would have no significant impact on the federal budget.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: The Judiciary Committee, in House Report 108-416, fails to cite a specific clause of constitutional authority. Clause 3 of House Rule XIII, Section d(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” [emphasis added]

RSC Staff Contact: Paul S. Teller, paul.teller@mail.house.gov, (202) 226-9718

H.R. 3786—Bureau of Engraving and Printing Security Printing Act (King of New York)

Order of Business: The bill is scheduled to be considered on Wednesday, March 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3786 would authorize the Secretary of the Treasury to produce currency, postage stamps, and other security documents for foreign governments if the Secretary determines that such production would not interfere with the engraving and printing needs of the United States and would be consistent with U.S. foreign policy. All costs would be billable to the foreign governments.

Additional Background: The House passed nearly identical legislation in 2002 (H.R. 2509) by a vote of 403-11: <http://clerk.house.gov/evs/2002/roll067.xml> The Senate did not consider the legislation.

In 2000, the House passed similar legislation (H.R. 4096) by voice vote. The Senate did not consider that legislation either.

Committee Action: On February 10, 2004, the bill was referred to the Committee on Financial Services but was never considered.

Cost to Taxpayers: H.R. 3786 would yield no net cost to taxpayers, since the engraving and printing for foreign governments could only be done on a reimbursable basis.

Does the Bill Create New Federal Programs or Rules?: The bill would grant a new authority to the Treasury Secretary to engrave and print currency and stamps for foreign governments.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: The Financial Services Committee has not produced a committee report citing constitutional authority.

RSC Staff Contact: Paul S. Teller, paul.teller@mail.house.gov, (202) 226-9718

H.R. 2993—District of Columbia and United States Territories Circulating Quarter Dollar Program Act (King of New York)

Order of Business: The bill is scheduled to be considered on Wednesday, March 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2993 would provide for the issuance in 2009 of circulating quarter-dollar coins that are (separately) emblematic of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands. The coins would have to be issued in equal sequential intervals during 2009 in the order just listed.

Each of the six designs for quarter-dollars required under this bill would have to be selected by the Secretary of the Treasury after consultation with the chief executive (or his or her designee) of the District of Columbia or the territory being honored and with the Commission of Fine Arts. The Secretary could not select any “frivolous or inappropriate” design or a design that includes a head-and-shoulders portrait or bust of any person, living or dead, or portrait of a living person. The selected designs would have to be reviewed by the Citizens Coinage Advisory Committee.

Additional Background: A similar bill was passed by the House on October 7, 2002 by voice vote. The Senate did not consider the House-passed bill.

Committee Action: On September 2, 2003, the bill was referred to the Committee on Financial Services. On September 16, 2003, the bill was referred to the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology. Neither the Subcommittee nor the Committee took any action on the bill.

Cost to Taxpayers: The Financial Services Committee confirms that this bill would have no net cost.

Does the Bill Create New Federal Programs or Rules?: The bill would expand the current quarter-dollar program that honors the 50 states to honor the District of Columbia and the U.S. territories as well.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: Although, the Financial Services Committee has not produced a committee report citing constitutional authority, Article I, Section 8, Clause 5 grants Congress the power “to coin Money, regulate the Value thereof, and of foreign Coin....”

RSC Staff Contact: Paul S. Teller, paul.teller@mail.house.gov, (202) 226-9718

H.R. 254 — An Act to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank, and for other purposes (Bereuter)

Order of Business: The bill will be considered on Wednesday, March 24, 2004, under a motion to suspend the rules and pass the bill.

Note: H.R. 254 originally passed the House on February 26th, 2003, by voice vote. The Senate passed the bill with an amendment on March 12, 2004. The House today is considering H.R. 254 as amended by the Senate.

Summary: H.R. 254 codifies an agreement between the United States and Mexico to make the following changes to the North American Development Bank (NADB):

- Allow the Bank to make grants and loans at below market rates to finance environmental infrastructure projects (currently the bank may not make grants and may only make loans at market rates);
- Increase the area in Mexico served by the Bank to within 300 kilometers of the U.S./Mexico border and the U.S. area to include land within 100 kilometers of the border.

The Senate added a new provision regarding grants out of “paid-in capital resources.” The provision requires the U.S. representatives to the Bank to oppose any grants from the Bank’s paid-in capital reserves if 1) such grants would be made to a project not being financed by loans, or 2) such grants would account for 50% of the entire project (an exception is made for grants under the 1993 community adjustment and investment program).

Under the Senate-added provision, the US representatives need not object if 1) the President determines there are “exceptional economic circumstances” and consults with the Foreign Relations and Financial Services Committees, or 2) if the grant is so small that loans are impractical and the amount does not exceed \$250,000. These exceptions cannot add up to more than \$5 million in total grants from the Bank.

H.R. 254 would also require the Secretary of the Treasury to submit an annual report to Congress on the activities of the Bank, including the projects approved and funded.

Finally, H.R. 254 includes several “Sense of the Congress” statements, including the Sense of the Congress that NADB should finance projects that support water conservation projects in border states and projects that address coastal issues/pollution and air pollution on both sides of the U.S.-Mexico border.

Additional Information: The North American Development Bank was created under the auspices of the North American Free Trade Agreement (NAFTA). The NADB operates under the November 1993 *Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank* (the “Charter”). Established in San Antonio, Texas, the NADB is a bilaterally funded, international organization, in which Mexico and the United States participate as equal partners for the purpose of financing environmental infrastructure projects. All NADB-financed environmental projects must be certified by the Border Environment Cooperation Commission, be related to potable water supply, wastewater treatment, or municipal solid waste management and be located within the border region.

According to CBO, in the eight years of its existence, NADB has financed few projects. Of the \$450 million in appropriated funds for NADB (\$225 million from each government), 10 percent was earmarked for grant assistance in the two countries; the rest of the funds were invested in government and other income generating securities. As of December 31, 2002, the bank had written contracts for only nine loans totaling \$24 million.

Cost to Taxpayers: A CBO cost estimate on the Senate-amended bill is unavailable. CBO estimated in 2003, that enacting the House-passed bill would not have affected federal spending or receipts. NADB has announced plans to use the authority to provide \$90 million in grants from retained earnings for water conservation and solid-waste projects and provide \$50 million in below-market-rate loans. CBO estimated that expanding its regional focus would not greatly increase the demand for NADB financing. Given the relative inactivity of the bank and the fact that it has no outstanding debt, CBO estimated that using its capital base in this manner would likely have no impact on its other financing operations or credit rating.

Committee Action: H.R. 254 was introduced on January 8, 2003, and passed the House on February 26th, 2003, by voice vote. The Senate passed the bill with an amendment on March 12, 2004.

Constitutional Authority: The Committee on Financial Services in Report No. 108-17 found authority in Article I, Section 8, Clause 1 (relating to the general welfare of the United States) and clause 3 (relating to the power to regulate interstate and foreign commerce).

Does the Bill Create New Federal Programs or Rules: No. The bill modifies provisions concerning the functioning of the North American Development Bank, and establishes a new annual report to Congress from the Secretary of Treasury.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

RSC Staff Contact: Sheila Moloney 202-226-9719; Sheila.Moloney@mail.house.gov

H.R. 3873—Child Nutrition Improvement and Integrity Act (Castle)

Order of Business: The bill is scheduled for consideration on Wednesday, March 24th, under a motion to suspend the rules and pass the bill, with an amendment. The summary below describes the text of the amendment.

Summary: H.R. 3873 reauthorizes the Child Nutrition Act and the Richard B. Russell School Lunch Act through 2008. The authorization for these programs is set to expire on March 31, 2004 (Congress passed H.R. 3232, a six-month extension of the programs, by voice vote last fall).

Title I – Ensuring Access to Child Nutrition Programs:

- Permanently removes military housing as a part of income when determining eligibility for free or reduced price lunch.
- Automatically makes homeless, migrant, and runaway children eligible for free breakfast or lunch.
- Reauthorizes the Summer Food Pilot Projects (and expands them to three additional states – currently there are fourteen) and the Summer Food Service Program for Children through fiscal year 2008. Allows non-profits to participate in the programs.
- Changes the time period of Tier I classification for day care homes in the Child and Adult Care Food Program (CACFP) from 3 years to 5 years (Tier I has a higher reimbursement rate than Tier II).
- Allows the Secretary of Agriculture or a state agency to disregard a CACFP overpayment if the amount is less than what it would cost to recover the overpayment, unless there is evidence of a crime.
- Requires the Secretary to review best practices in the school breakfast program to identify impediments “that hinder the growth of the school breakfast program.”
- Creates a new one-state demonstration project in Pennsylvania creating automatic Summer Food Service Program eligibility for rural areas if 40 percent of the children enrolled are eligible for free or reduced price lunch (the current threshold is 50 percent).
- Creates a new one-state pilot project in California allowing non-profit organizations to provide meals year round without applying to CACFP. Limits the cost of the pilot to \$1 million for fiscal years 2004-2008.

Title II – Improving Program Quality and Integrity:

- Allows a household to submit one application for all children for free and reduced-price lunches rather than multiple applications.

- Allows children to be certified for school lunch programs for one year, effective July 1, 2005.
- Sets verification requirements for applications.
- Requires state agencies (to the extent practicable) to enter into an agreement with the agency administering the food stamp program to directly certify children as eligible for free meals if they are in a migrant household, a household receiving food stamps, or a household enrolled in Temporary Assistance for Needy Families.
- Transfers responsibility for the local administration of school lunch and breakfast programs from the local school food authority to the local education agency. The local school food authority and the LEA would share responsibility for compliance and accountability.
- Gives priority in the reallocation of funds to states that would use the money for technology improvements.
- Increases state administrative funds by 1.5 percent each year and increases the minimum state grant from \$100,000 to \$200,000.
- Requires the Secretary to develop and distribute training and technical assistance materials related to the administration of school meal programs. Authorizes \$3 million for FY05 and \$2 million for FY06.
- Requires state educational agencies to review each school food authority and local educational agency. The review finds failure to meet performance criteria set by the Secretary, a corrective action plan must be developed and technical assistance provided. Funds can also be recovered after a review if they were expended in error. Also requires states to provide annual training in administrative practices to school food authority administrative personnel. Authorizes \$4 million per year for the reviews and training.

Title III – Promoting Nutrition Quality and Preventing Childhood Obesity:

- Requires LEAs to establish a local school wellness policy that includes goals for nutrition education and physical activity, nutrition guidelines for all foods sold on school campus during the school day, and establishes a plan for implementation of the policy.
- Establishes a Team Nutrition Network to provide grants to states for the development of statewide, comprehensive, and integrated nutrition education and physical fitness programs. Funds could be used to collect and analyze data on students, develop model curricula, implement pilot programs, or provide training and technical assistance.
- Authorizes a new local nutrition and physical fitness program to provide assistance to up to 100 LEAs (at least one per state) to establish pilot projects that promote healthy eating habits and increased physical fitness.
- Allows the Secretary to provide matching grants and technical assistance to schools and nonprofit entities to improve access to local foods in schools through farm-to-cafeteria activities. The federal contribution must be \$100,000 or less and the federal share of costs must not exceed 75 percent.
- Requires schools to serve milk in a variety of fat contents and allows for the reimbursement of a nutritionally equivalent non-dairy beverage (such as soy milk) if the child has a note from a parent or doctor. Prohibits a school from restricting the sale of milk on school grounds.

- Requires the Secretary to issue guidance on increasing whole grains in foods offered in school nutrition programs.
- Expands the fruit and vegetable pilot program to 25 additional elementary or secondary schools. Makes the program discretionary (currently mandatory) and authorizes \$11 million for fiscal year 2004 and “such sums” for fiscal years 2005-2008. The program currently receives \$6 million.

Title IV – Improving the Women, Infants, and Children Program (WIC):

- Adds “child development” and “physical activity” to the definition of nutrition education.
- Allows a state to certify breastfeeding women for up to one year.
- Requires local agencies to allow an applicant or participant to reschedule an appointment to apply or be recertified for WIC.
- Requires the Secretary to conduct a scientific review of the supplemental foods available in WIC and recommend changes every 10 years, beginning in 2013.
- Requires state agencies to notify vendors in writing of a violation that, if a pattern of such violations were to occur, would result in sanctions.
- Encourages breastfeeding promotion activities for WIC participants.
- Allows private funds to be used to provide up to 10 local sites with fresh, frozen and canned fruits and vegetables, with an evaluation of their inclusion in the WIC program.
- Requires WIC vendors to purchase infant formula only from a list maintained by the state of approved manufacturers, distributors, and retailers.
- Increases the amount of funds a state may use for nutrition services administration from 1 percent to 3 percent.
- Eliminates 2 WIC demonstration projects.
- Authorizes “such sums” for WIC through 2008.

Title V – Miscellaneous Provisions:

- Requires the Secretary to provide assistance to state agencies for the purpose or acquiring or upgrading technology in schools with at least 50 percent of children certified to receive free or reduced lunch.
- Requires the Secretary to develop procedures for the purchase and distribution of irradiated food products in federal school meals programs. Such procedures must ensure that irradiated foods are only provided at the request of states and local school food authorities and that such foods are properly labeled.
- Expresses the sense of Congress that federal resources should be used for effective programs and that duplication should be eliminated.

Committee Action: H.R. 3873 was introduced on March 2, 2004, and referred to the Committee on Education and the Workforce. The Subcommittee on Education Reform marked up the bill on March 4 and reported it to the full committee by voice vote. The full Education and the Workforce Committee favorably approved the bill on March 10, 2004, by a vote of 42-0.

Cost to Taxpayers: According to the Congressional Budget Office, H.R. 3873 would increase direct spending \$14 million in fiscal year 2004 and \$235 million over the fiscal year 2004-2009 period. The cost of the bill over the 2004-2008 period would be \$192 million, as provided for in the budget resolution for fiscal year 2004.

An estimate of the impact of H.R. 3873 on discretionary spending is not available. However, the bill will increase discretionary spending by at least \$11 million in 2004 due to changing the fruit and vegetable pilot program from mandatory funding to discretionary. WIC is the other major portion of H.R. 3873 that is discretionary spending.

Total funding for child nutrition and WIC programs in fiscal year 2004 appropriations was \$16.029.3 billion.

Does the Bill Create New Federal Programs or Rules?: The bill creates three new pilot or demonstration programs and the new Team Nutrition Network. The bill creates a variety of new federal rules as well.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes, the bill contains many new mandates, particularly for states and local school food authorities. An exact number is not available.

Constitutional Authority: The Education and the Workforce Committee cites Article I, Section 8, Clause I (“general welfare”).

Staff Contact: Lisa Bos, lisa.bos@mail.house.gov, (202) 226-1630.

H.Con.Res. 328 — Recognizing and honoring the United States Armed Forces and supporting the designation of a National Military Appreciation Month (Tom Davis)

Order of Business: The resolution will be considered on Wednesday, March 24, 2004, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 328 contains 11 findings regarding the military and those serving including that “it is vital for the youth of the United States to understand that the service provided by members of the Armed Forces is an honorable legacy that protects the freedoms enjoyed by citizens of the United States as well as citizens of many other nations,” and that “the Federal Government has a responsibility to raise awareness of and respect for this aspect of the heritage of the United States and to encourage the people of the United States to dedicate themselves to the values and principles for which Americans have served and sacrificed throughout the history of the Nation.” The resolution states that it is resolved:

“That the Congress

- “supports the designation of a National Military Appreciation Month;

- “urges the President to issue a proclamation calling on the people of the United States, all Federal departments and agencies, States, localities, organizations and media to annually observe a National Military Appreciation Month with appropriate ceremonies and activities; and
- “urges the White House Commission on Remembrance, established by Congress to honor those who died in service to the United States and those who continue to serve the Nation, to work to support the goals and objectives of a National Military Appreciation Month.”

Committee Action: The resolution was introduced on November 18, 2003 and referred to the House Committee on Government Reform, which considered the legislation on February 26, 2004 and reported it to the full House by unanimous consent.

Cost to Taxpayers: None.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Staff Contact: Sheila Moloney, sheila.moloney@mail.house.gov, (202) 226-9719.

H.R. 3059—To designate the facility of the United States Postal Service located at 304 West Michigan Street in Stuttgart, Arkansas, as the “Lloyd L. Burke Post Office” (*Berry*)

Order of Business: The bill will be considered on Wednesday, March 24, 2004, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3059 would designate the postal facility located at 304 West Michigan Street in Stuttgart, Arkansas, as the “Lloyd L. Burke Post Office.”

Additional Information: Lloyd L. Burke of Arkansas was a Korean War Congressional Medal of Honor recipient who died in June of 1999. On October 28, 1951, intense enemy fire had pinned down leading elements of U.S. Army First Lieutenant Burke’s company near Chong-dong, Korea. Lieutenant Burke left the command post to rally and urge the men to follow him toward three bunkers impeding the advance. Dashing to an exposed vantage point he threw several grenades at the bunkers, then, returning for an M1 rifle and adapter, he made a lone assault, wiping out the position and killing the crew. Closing on the center bunker he lobbed grenades through the opening and, with his pistol, killed three of its occupants attempting to surround him. Ordering his men forward he charged the third emplacement, catching several grenades in midair and hurling them back at the enemy. His men stormed forward, overran the hostile position, but were again pinned down by increased fire. Securing a light machinegun and three boxes of ammunition, Lieutenant Burke dashed through the impact area to an open knoll, set up his gun and poured a crippling fire into the ranks of the

enemy, killing approximately 75. Although wounded, he ordered more ammunition, reloading and destroying two mortar emplacements and a machinegun position with his accurate fire. Cradling the weapon in his arms he then led his men forward, killing some 25 more of the retreating enemy and securing the objective, without any of his men being killed.

His other military decorations included the Distinguished Service Medal, Distinguished Service Cross, Silver Star, four Army Commendation Medals, the Joint Service Commendation Medal, five Purple Hearts and three Bronze Stars. Sources: <http://www.medalofhonor.com/LloydBurke.htm>; <http://www.arlingtoncemetery.net/lburke.htm>

Committee Action: The bill was introduced on September 10, 2003 and referred to the House Committee on Government Reform, which considered the legislation and reported it to the full House on February 26, 2004, by unanimous consent.

Cost to Taxpayers: The only costs associated with a post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to “establish Post Offices and post Roads.”

Staff Contact: Sheila Moloney, sheila.moloney@mail.house.gov, (202) 226-9719.

H.Con.Res. 189 — Celebrating the 50th anniversary of the International Geophysical Year (IGY) and supporting an International Geophysical Year-2 (IGY-2) in 2007-08 (Udall)

Order of Business: The resolution will be considered on Wednesday, March 24, 2004, under a motion to suspend the rules and pass the bill.

Summary: H.Con. Res. 189 contains 8 findings regarding the International Geophysical Year (IGY) and supporting an International Geophysical Year-2 (IGY-2) in 2007-08 and resolves:

“That it is the sense of Congress that the President should—

- “endorse the concept of a worldwide IGY-2 for the 2007-2008 timeframe;
- “direct the Director of the National Science Foundation and the Administrator of the National Aeronautics and Space Administration, in association with the National Academy of Sciences and other relevant governmental and nongovernmental organizations, to initiate interagency and international inquiries and discussions that

explore the opportunities for a worldwide IGY-2 in the 2007-2008 timeframe, emphasizing activities dedicated to global environmental research, education, and protection; and

- “submit to Congress at the earliest practical date, but no later than 6 months after the date of adoption of this resolution, a report detailing the steps taken in carrying out paragraphs (1) and (2), including descriptions of possible activities and organizational structures for an IGY-2 in 2007-2008.”

Additional Information: According to the Committee, in 1952, the International Council of Scientific Unions proposed a comprehensive series of global geophysical activities from 1957 through 1958, called the International Geophysical Year (IGY). The purpose, was “to observe geophysical phenomena and to secure data from all parts of the world; to conduct this effort on a coordinated basis by fields, and in space and time, so that results could be collated in a meaningful manner.” The U.S. program included investigations of aurora and airglow, cosmic rays, geomagnetism, glaciology, gravity, the ionosphere, determinations of longitude and latitude, meteorology, oceanography, seismology, solar activity, and the upper atmosphere. In addition, a technical panel was set up to attempt to launch an artificial satellite into orbit around the earth. According to the Committee, it was the IGY rocket and satellite research that led the U.S. to develop its space program.

Committee Action: The bill was introduced on May 21, 2003 and referred to the House Committee on Science, which considered the legislation and reported it to the full House on February 18, 2004, by unanimous consent.

Cost to Taxpayers: None.

Does the Bill Create New Federal Programs or Rules?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Staff Contact: Sheila Moloney, sheila.moloney@mail.house.gov, (202) 226-9719.